

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ANTHONY SMITH and FLYING A.J.'S
TOWING COMPANY, LLC,

ORDER

Plaintiffs,

v.

10-cv-062-wmc

JOHN WILSON and TOWN OF
BELOIT,

Defendants.

The court continued a final pretrial conference Friday, April 22, 2011 during which the court made the following rulings. Accordingly,

IT IS ORDERED that:

- 1) Defendants' motion in limine to exclude the testimony of Dr. Chapman (dkt. #147 at ¶ 10) is GRANTED IN PART AND RESERVED IN PART. For the reasons stated on the record, Chapman will not be allowed to testify that being on the towing list is lucrative. As to his proposed testimony that use of racial slurs in a police department is never appropriate, the court will allow the testimony only if defendants put in issue whether Wilson believed his use of racial slurs was proper.
- 2) Defendants' motion in limine to exclude the testimony of Dr. Wilbert Miles (dkt. #147 at ¶ 35) is DENIED. The court finds plaintiffs' amended deposition designations for Dr. Miles to be appropriate.
- 3) Plaintiffs shall file any objections to defendants' counter-designations for Dr. Miles by Tuesday, April 26, 2011.

Entered this 25th day of April, 2011.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge